

CONCLUSION

If the Examiner feels that a telephone conference would expedite prosecution of this case,
the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By David J. Thibodeau

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Dated: 6/25/04

After reviewing the file Applicants undersigned Attorney can state the following.

On November 18, 2003, I filed the referenced application with the U.S. Patent and Trademark Office including an informal drawing for at the time was Figure 4. The original specification referenced only a table and Figure 4 having 43 rows (lines) that were meant to be a table of atomic events. This table is referred to in the specification at pages 5 and 11.

On April 16, 2004 in response to the Patent Offices Notice to File Corrected Application Papers mailed February 23, 2004, I filed a response submitting replacement formal drawings in compliance with 37 C.F.R. §1.84 and 37 C.F.R. §1.121. The formal drawings submitted included formal drawings for Figures 4A and 4B. The formal drawings for Figures 4A and 4B previously submitted (duplicate copy enclosed herewith) were split onto two separate sheets. It is evident that all forty-three entries in the Table are original figure and formal Figure 4 fit perfectly fine on the Figures 4A and 4B as submitted on April 16.

Unfortunately, together with the formal drawings on April 16, 2004 I also filed an Amendment to the specification making reference to Figures 4A-4C. No such figure 4C has ever existed in this application and the reference in the text to such figures is incorrect. We would therefore request that entry of the enclosed Second Preliminary Amendment to the specification replacing the paragraphs at pages 5 and 11 making reference now to Figures 4A-4B. The error was inadvertently made in reference to Figure 4C simply in the Amendment to the specification not in the drawings themselves.

Although it is believed no petition fee is due as a result of this response, this Applicant is neither arguing that the original omitted item was in fact deposited nor are we attempting to supply the omitted item herewith. However, authorization is hereby provided to charge Deposit Account No. 08-0380 for any Petition fee required that may be due under 37 C.F.R. §1.17(h). The application filing date for this application should still be accorded the original filing date of November 18, 2003.

It is believed that the accompanying Preliminary Amendment has corrected the references in the specification to the drawing figures to correctly correspond with the relabeled formally submitted drawing figures.

We thank you for your attention to this matter.

Respectfully submitted,

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